



# ILLINOIS COMMERCE COMMISSION

February 8, 2005

Illinois Central Railroad Company,  
Petitioner,

v.

Neoga Township, the City of Neoga and the State of Illinois, Department of  
Transportation,  
Respondents.

T05-0007

Petition of Illinois Central Railroad Company seeking an order of closure of the  
at-grade crossings of Cemetery Road/TR-67 (DOT 289 160P; railroad milepost  
185) and TR-85 (DOT 289 161W; railroad milepost 185.65) and the Illinois  
Central Railroad Company's tracks, and an order of installation of automatic  
flashers and gates at the crossing of the TR-85A (DOT 289 162D; railroad  
milepost 186.16) and the Illinois Central Railroad Company's tracks, all in Neoga  
Township, Cumberland County, Illinois.

Mr. Michael J. Barron, Jr.  
Illinois Central Railroad  
17641 South Ashland Avenue  
Homewood, IL 60430

Dear Mr. Barron:

Receipt is acknowledged of the original and one (1) copy of the Petition filed February 7, 2005 in the  
above matter.

**All future correspondence/pleadings should be filed with an original and two (2) copies and  
addressed to: Mr. Dave Lazarides, Acting Director of Processing, Illinois Commerce Commission,  
527 E. Capitol Avenue, Springfield, IL 62701 or you may file the original electronically through E-  
Docket if you have an account. To apply for an account, please log on to [www.icc.state.il.us](http://www.icc.state.il.us) and  
apply for an E-docket account.**

Processing and Information Section

kl

cc: Mr. Victor A. Modeer, IDOT  
Mr. James Kvedaras, IC  
Mr. Ben Bland, Cumberland County  
Neoga Township  
City of Neoga

**ORIGINAL**

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

**RECEIVED**  
FEB 7 2005

Illinois Commerce Commission  
RAIL SAFETY SECTION

Illinois Central Railroad Company,

Petitioner,

v.

Neoga Township, the City of Neoga and the State of Illinois,  
Department of Transportation,

Respondents.

T05-0007

Petition of Illinois Central Railroad Company seeking an order of closure of the at-grade crossings of Cemetery Road/ TR-67 (DOT 289 160P; railroad milepost 185) and TR-85 (DOT 289 161W; railroad milepost 185.65) and the Illinois Central Railroad Company's tracks, and an order of installation of automatic flashers and gates at the crossing of TR-85A (DOT 289 162D; railroad milepost 186.16) and the Illinois Central Railroad Company's tracks, all in Neoga Township, Cumberland County, Illinois.

**PETITION FOR CLOSURE OF GRADE CROSSINGS AND  
FOR CROSSING UPGRADE**

Now comes Illinois Central Railroad Company ("IC") and petitions the Illinois Commerce Commission (the "Commission") for an order of closure of 2 grade crossings and an order of installation of automatic flashers and gates at another crossing. In support of its Petition, IC states as follows:

1. IC is a rail carrier operating in Illinois and is a rail carrier within the meaning of the Illinois Commercial Transportation Law.
2. The Illinois Department of Transportation ("IDOT") is a political subdivision within the State of Illinois and is subject to the jurisdiction of the Commission.
3. Neoga Township is a political subdivision within the State of Illinois and is subject to the jurisdiction of the Commission.

**DOCKETED**

**FEB 8 2005**

4. The City of Neoga is a political subdivision within the State of Illinois and is subject to the jurisdiction of the Commission.

5. IC seeks an order from the Commission closing the at-grade crossings of TR-67 and TR-85 with the IC tracks, and mandating the installation of automatic flashers and gates at the at-grade crossing of TR-85A with the IC tracks.

6. Pursuant to 92 Ill. Admin. Code §1536.10, IC provides the following information about the crossings of TR-67 and TR-85 with the IC tracks

- a. The crossings are located in an unincorporated township;
- b. The crossings are unsignalized and have crossbuck signs;
- c. The ADT at crossing TR-67 is 125 and at crossing TR-85 is 150 per DOT inventory and ICC's "crisis" database and the speed limit at the crossings is not posted;
- d. The rail freight traffic over the crossings consist of 20 to 24 trains per day;
- e. The rail passenger traffic over the crossings consist of four Amtrak trains daily;
- f. The timetable speed at these crossings for freight trains is 60 m.p.h. and for passenger trains is 79 m.p.h.
- g. The two nearest public rail-highway crossings to the crossings at TR-67 and TR-85 are north - 6<sup>th</sup> Street, Neoga, MP 184.35, DOT# 289 158N; south - TR-85A;
- h. The crossings accident histories for the last five years are as follows:

Year	Crossing TR-67	Crossing -TR-85
2000	0	0
2001	0	0
2002	0	0
2003	0	0
2004	0	0

- i. The alignments for the crossings are:

TR-67 - 90° ±  
TR-85 - 70° ±

Both crossings have three tracks; a main track, a passing track and a storage track. IC does at times use the passing and storage tracks to hold trains or store cars;

j. The types of vehicular traffic that use the crossings are mostly passenger vehicles and light trucks, but traffic could include hazmat vehicles and school buses;

k. The location and mailing address of emergency responders having responsibility in the area of the crossings is:

Fire

Neoga Fire Department  
578 Oak Avenue  
Neoga, IL 62447  
PH: (non-emergency) 217-895-3911

Police

Cumberland County Sheriff  
Stephen Ozier  
P.O. Box 56  
Toledo, IL 62468  
PH: 217-849-2571

Ambulance

Neoga Ambulance Service  
533 South Chestnut Avenue  
Neoga, IL 62447  
PH: 217-895-2642

7. In conjunction with the closure of these crossings, IC proposes for TR-67 that a connecting road be built, depending on local preference from either Elm Road in the vicinity of 3<sup>rd</sup> Street or from west 4<sup>th</sup> Street in the City of Neoga to the present TR-67 crossing location.

8. In addition, in conjunction with the closure of the crossings, IC proposes for TR-85 that a connecting road along the westerly portion of IC's property be constructed from the TR-85A crossing to the present location of the TR-85 crossing.

WHEREFORE, IC, respectfully requests that the Commission:

- a) Order the closure of the at-grade crossings on TR-67 and TR-85 with the IC tracks in Neoga Township;
- b) Order the construction of connecting roads to the present locations of the crossings of TR-67 and TR-85 as described in the petition;
- c) Order the installation of flashers and gates at the at-grade crossing of TR-85A with IC tracks in Neoga Township;
- d) Allocate the costs of these items in accordance with 92 Ill. Admin. Code §1536.20; and
- e) Provide such other and further relief as the Commission deems just and appropriate.

Dated at Homewood, Illinois this 3<sup>rd</sup> day of February, 2005.

ILLINOIS CENTRAL RAILROAD COMPANY

By



Michael J. Barron, Jr.  
Counsel  
CN  
17641 S. Ashland Avenue  
Homewood, IL 60430-1345  
Phone: 708-332-3954  
Fax: 708-332-3052  
ARDC 6228809

**VERIFICATION**

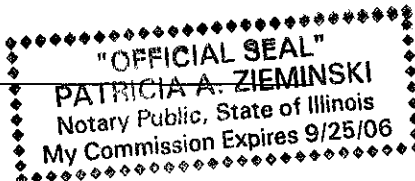
Thomas R. Zeinz, being duly sworn, deposes and says that he is the Manager-Public Works for Illinois Central Railroad Company, that he has read the foregoing Petition of Illinois Central Railroad Company, and that the contents thereof are true and correct to the best of his knowledge and belief.

Thomas R. Zeinz

Subscribed and sworn to  
before me this 3rd day of  
February, 2005

Patricia A. Zieminski  
Notary Public

My Commission Expires: \_\_\_\_\_



STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

Illinois Central Railroad Company,

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Neoga Township, the City of Neoga and the State of Illinois,  
Department of Transportation,

T05-\_\_\_\_\_

Respondents.

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**NOTICE OF FILING**

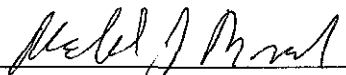
Township Clerk  
Neoga Township  
Cumberland County Courthouse  
P.O. Box 146  
Toledo, IL 62468

Clerk, City of Neoga  
5335 Chestnut Avenue  
Neoga, IL 62447

Ms. Ellen Schanzle-Haskins  
Acting Chief Counsel  
Illinois Department of Transportation  
2300 s. Dirksen Parkway, Room 300  
Springfield, IL 62764

PLEASE TAKE NOTICE that we have on this 3rd day of February, 2005, sent for filing with the Illinois Commerce Commission, the attached Petition for Closure of Grade Crossings and for Crossing Upgrade in the above captioned matter, a copy of which is hereby served upon you.

ILLINOIS CENTRAL RAILROAD COMPANY

By   
Michael J. Barron, Jr.  
Counsel  
CN  
17641 S. Ashland Avenue  
Homewood, IL 60430  
Phone: 708-332-3954  
Fax: 708-332-3052  
ARDC 6228809



**CERTIFICATE OF SERVICE**

I, MICHAEL J. BARRON, JR., an attorney, certify that I served the foregoing Petition for Closure of Grade Crossings and for Crossing Upgrade upon the respondents made parties to this proceeding by enclosing copies of the foregoing in envelopes addressed to the parties as set forth below, postage prepaid, and depositing the envelopes in the United States Mail at 17641 S. Ashland Avenue, Homewood, IL on the 3<sup>rd</sup> day of February, 2005.

  
\_\_\_\_\_  
Michael J. Barron, Jr.

Township Clerk  
Neoga Township  
Cumberland County Courthouse  
P.O. Box 146  
Toledo, IL 62468

Clerk, City of Neoga  
5335 Chestnut Avenue  
Neoga, IL 62447

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